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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 TERRY BROWN,

Case No. C 08-02358SI

Plaintiff,

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS PURSUANT TO
FED. R. CIV. P. 12(b)(6)**

14 | PORT OF OAKLAND,

Date: July 25, 2008
Time: 9:00 a.m.
Courtroom: 10, 19th Floor

Defendant

The Motion to Dismiss Pursuant to Federal Rule of Civil Procedure Rule 12(b)(6) of defendant Port of Oakland (“Defendant”), came on regularly for hearing on July 25, 2008, at 9:00 a.m. in Courtroom 10 of the above-entitled Court. After full consideration of Defendant’s Motion, the papers submitted by the parties in support and in opposition thereto, and the arguments presented,

IT IS HEREBY ORDERED, DECREED AND AJUDGED that:

1. Defendant's Motion to Dismiss is GRANTED in its entirety.

25 2. The Court finds that Plaintiff has failed to state a claim upon which relief could be
26 granted and failed to exhaust administrative remedies within the applicable statutes of limitation.

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1 3. Plaintiff Terry Brown's entire Complaint is hereby dismissed.
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3 **IT IS SO ORDERED.**
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5 Dated: _____, 2008
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Honorable Susan Illston
United States District Court
Northern District of California